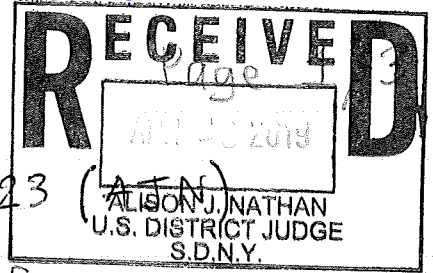


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



MINH QUANG PHAM,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

12-CR-423 (ADN)

Request for  
Legal assistant

pursuant to

18 U.S.C. § 2255.

APR 23 2019

Date: MARCH, 15, 2019

RECEIVED  
SDNY PRO SE OFFICE  
2019 APR -2 PM 12:47  
S.D. OF N.Y.

Dear Honorable Judge Nathan:

I sincerely appreciate you appointing me Counsel for representation, on the monumental new case of Sessions v. Dimaya, and my 924(c) issue.

Unfortunately, I was forced to file a Pro Se Motion, in order to pursue this seminal and meritorious issue, that could result in my freedom; because Counsel never met her obligations and failed to file any motion. Moreover, she failed to effectively communicate with me and has ignored my requests for help.

2/3

Consequently, Can you please Relieve Counsel of record and appoint me New Counsel. The issue I briefed is extremely relevant - material to my cause and my constitutional rights need to be protected.

Thank you

most respectfully

(s) MINH PHAM

Minh Quang Pham

# 72016-054

12-CR-423 (AJN)

U.S. Penitentiary Max

P.O. Box 8500

Florence ADX

CO 81226-8500

Dated: MARCH 15, 2019


( 3.15.19 )

ATTACHMENT

Please find attached TWO documents :

1. Judge Nathan ORDER to Bobbi Sternheim to appointment of Counsel on August 20, 2018.
2. A Signed Consent to Bobbi C. Sternheim to represent Mr. Pham as Counsel. Faxed on November, 5, 2018

Above are the only legal mail I have ever received Since you have made the ORDER on the August 20, 2018. - I have also spoken to Bobbi briefly on the 15<sup>th</sup> November, 2018 and have sent

 Three legal mails on :

- November 19<sup>th</sup>, 2018
- January 2<sup>nd</sup>, 2019
- January 22<sup>nd</sup>, 2019

I have not receive any response for the letters sent and is unable to arrange for any telephone communication.

Minh, Pham.

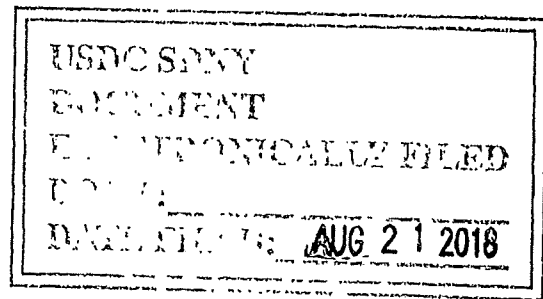
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

United States of America,

—v—

Minh Quang Pham,

Defendant.



12-cr-423 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On August 3, 2018, the Court received a letter by regular mail from Mr. Pham, requesting that his conviction be vacated in light of the Supreme Court's decision in *Sessions v. Dimaya*, 138 S.Ct. 1204 (2018). *See* Dkt. No. 135. The Court construes this letter as a motion to vacate, set aside, or correct his sentence pursuant to 18 U.S.C. § 2255.

The Clerk of the Court shall notify the Criminal Division of the U.S. Attorney's Office for the Southern District of New York that this Order has been issued. On or before August 27, 2018, defense counsel Bobbi Sternheim shall inform the Court whether there is any reason that she cannot represent Mr. Pham for purposes of this motion.


Within sixty days of the date of this Order, the U.S. Attorney's Office shall file an answer or other pleadings in response to the motion. Movant shall have thirty days from the date on which Movant is served with Respondent's answer to file a response. Absent further order, the motion will be considered fully submitted as of that date.

All further papers filed or submitted for filing must include the criminal docket number and will be docketed in the criminal case.

A copy of this order will be mailed to Mr. Pham and that mailing will be noted on the public docket.

SO ORDERED.

Dated: August 20, 2018  
New York, New York

  
ALISON J. NATHAN  
United States District Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA

-against-

MINH QUANG PHAM,

Defendant.  
-----X

DECLARATION OF MINH QUANG PHAM  
12 Cr. 423 (AJN)

MINH QUANG PHAM, pursuant to 28 U.S.C. § 1746, hereby declares under penalty of perjury:

1. I am the defendant in the above-captioned matter.
2. I have submitted an application to the Court for review of my conviction.

*[PLEASE INITIAL ONE OF THE FOLLOWING, EITHER 3 or 4.]*

3. By initialing the following:

I **CONSENT** to Bobbi C. Sternheim representing me in connection with my pending submission.

Insert Initials: MQP.

4. By initialing the following:

I **DO NOT CONSENT** to Bobbi C. Sternheim representing me in connection with my pending submission.

Insert Initials: \_\_\_\_\_.

5. I make this decision knowingly and voluntarily.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 19 day of November 2018.

MINH PHAM  
MINH QUANG PHAM

Minh, Pham

42016-054

Reg. No. 42016-054

U.S. PENITENTIARY MAX

P.O. BOX 8500

Florence, CO 81226-8500

19-72016054-0345-mo-008

RECEIVED

2019 APR -1 PM 3:06

CLERK'S OFFICE  
C.D. ONLY

Pro Se  
mr

RECEIVED  
SENY PRO SE OFFICE

2019 APR -2 PM 12:47 SPECIAL MAIL

S.D. OF N.Y. SOUTHERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT

Daniel Patrick Moynihan

United States Courthouse

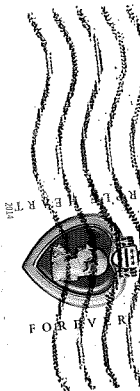
500 Pearl Street

New York

N.Y. 10007-1312

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29 MAR 2019 PM 3:1



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